

meteorological fields. At present the only specific authority for entering into such projects is contained in Section 803 of the Federal Aviation Act of 1958 (72 Stat. 783), which authorizes the Department to enter into research contracts with public and private agencies for the purpose of increasing the safety and efficiency of air navigation.

As a result, the Department, rather than relying upon inherent authority to enter into research contracts, places the contracts on the basis that they relate to civil aviation. It would appear to be preferable to recognize the value of research programs in the entire field of meteorology by removing this artificial limitation on such contracts.

In many cases the most efficient method of accomplishing desired research in a particular area of meteorological science is to have all or part of the project contracted out to private agencies, such as universities, in order that their highly specialized research facilities can be utilized. If the Department were to attempt to perform all such research at its own facilities with its own personnel, substantial temporary increases in both facilities and personnel would be required. Research contracts make available the desired facilities and experienced personnel at far less cost to the Government. Enactment of the proposed legislation would constitute recognition of the value of the use of research contracts in all fields of meteorology.

Moreover, it is believed that the enactment of specific legislation authorizing such contracts would eliminate possible reluctance on the part of contractors to undertake projects not obviously related to aviation meteorology and would stimulate the interest of private organizations in securing such contracts.

Section 2 of this proposed legislation would authorize the expenditure of public money for telephone services installed in private residences for use as the Chief of Bureau may direct in carrying into effect the basic enabling laws authorizing collection and distribution of information on weather conditions throughout the United States, its territories, and possessions. The telephone installations will be made in cases where frequent need can be shown to exist, or isolated location prevents use of public utility communication facilities to contact meteorological personnel for reports of severe storms, floods, etc., and the dissemination of emergency weather warnings, etc.

At many semi-isolated or isolated locations, Weather Bureau field facilities are not open 24 hours daily, and at these locations field employees have little or no requirements for private telephones in their residences which are often Government-owned. In cases where special weather observations are urgently needed from these stations after normal office hours, or it is urgent that storm warnings or advice be disseminated, there are no telephone facilities now available by which field personnel can be contacted and required reports obtained, or warnings issued. The installation of telephone services in private residences in these instances will insure that emergency meteorological services are available at all locations.

Section 1 of this legislation is merely clarifying in nature and no increase in expenditures would be involved.

Section 2 would involve an estimated expenditure of \$8,000 per annum from base appropriation.

#### PROVISION FOR EXCEPTIONS TO RULES OF NAVIGATION IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate ref-

erence, a bill to provide for exceptions to the rules of navigation in certain cases. I ask unanimous consent that a letter from the Under Secretary of Commerce, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 682) to provide for exceptions to the rules of navigation in certain cases, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF COMMERCE,  
Washington, D.C., January 12, 1961.  
The Honorable President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce has prepared and submits herewith, as a part of the legislative program for the 87th Congress, 1st session, a draft of proposed bill to provide for exceptions to the rules of navigation in certain cases.

The proposed legislation is intended to permit the relatively few vessels having lights and day signals which extend vertically above the understructure of a bridge to depart from the rules of navigation that are ordinarily applicable on the particular waterway. It is proposed that the Secretary of the Department in which the Coast Guard is operating be authorized to prescribe such special rules, to be observed by vessels navigating under or near certain bridges, as in his judgment the public safety may require for the prevention of collisions.

The need for legislation along the lines of the proposed bill is established in the Department of Commerce report on Navigational Clearance Requirements for Highway and Railroad Bridges, published in February 1955. The Bureau of Public Roads of this Department has been striving during recent years to obtain reasonable reductions in the navigational clearances required for highway bridges constructed with Federal-aid highway funds, with the objective of reducing the cost of the navigational increment of highway bridges whenever and wherever it is feasible without unduly affecting the reasonable requirements of waterway transportation. One of the problems involved is the need for relatively high navigational clearances to permit vessels engaged in coastal trade to operate on inland waters with navigational lights that conform to the "international rules of the road." The international rules necessitate the carrying of navigational lights at an elevation substantially higher than that required under the rules applicable on inland waters and navigational lights which conform to the International Rules are in some cases permissible and in some cases required on seagoing vessels operating on inland waterways. On the other hand, navigational lights which conform to the rules generally applicable to inland waterways, do not meet the requirements of the international rules.

Studies of bridge costs indicate that substantial amounts of additional funds are required to construct bridges with vertical clearances sufficient to pass vessels equipped with the navigational lights required under international rules over that which is required to pass vessels equipped with the navigational lights required under the rules applicable on inland waters. The matter is also pertinent with respect to movable bridges. In many instances, vessels operat-

ing with navigational lights required under the rules applicable on inland waters can pass under existing movable bridges in closed position, but it is necessary to open these bridges for the same or similar vessels if they are equipped with navigational lights required under the international rules. This is particularly important in urban areas where the large volume of highway traffic delayed by the bridge opening results in a substantial economic loss to the community.

It is believed that the enactment of the proposed legislation would result in savings in bridge construction and operation costs which would benefit principally the Federal-aid, State, and local highway programs. The proposed legislation, and the special rules that would be issued pursuant thereto, would provide official recognition for effective treatment of a rapidly growing problem in surface transportation relationships.

The enclosed draft bill is identical to a draft bill submitted to the 86th Congress, 2d session, on May 5, 1960, and introduced as S. 3540.

The Department of Commerce recommends this proposed legislation for favorable consideration of the Congress.

We have been advised by the Bureau of the Budget by letter of January 5, 1961, that it would interpose no objection to the submission of this letter to the Congress.

Sincerely yours,

PHILIP A. RAY,  
Under Secretary of Commerce.

#### ELIMINATION OF REQUIREMENT OF OATH ON CERTAIN DOCUMENTS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission. I ask unanimous consent that the letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, be printed in the RECORD, together with its enclosure.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter, with its enclosure, will be printed in the RECORD.

The bill (S. 683) to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter, with enclosure, presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS COMMISSION,  
Washington, D.C., January 19, 1961.  
The Vice President,  
U.S. Senate,  
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 87th Congress a proposal to eliminate the requirement of an oath or affirmation on certain documents filed with the Commission as provided in sections 219, 308, and 319 of the Communications Act of 1934, as amended (47 U.S.C. 219, 308, and 319).

The Commission's draft bill to accomplish the foregoing objectives was submitted to

the Bureau of the Budget for its consideration. We have now been advised by that Bureau by its letter dated January 16, 1961, that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the Committee to which this proposal is referred.

Sincerely yours,

FREDERICK W. FORD,  
Chairman.

**EXPLANATION OF PROPOSED AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934, AS AMENDED, ELIMINATING THE REQUIREMENT OF AN OATH OR AFFIRMATION ON CERTAIN REPORTS AND APPLICATION FORMS SUBMITTED TO THE FEDERAL COMMUNICATIONS COMMISSION (47 U.S.C. 219, 308 AND 319)**

The Federal Communications Commission recommends to the Congress the consideration of legislation to amend sections 219, 308, and 319 of the Communications Act of 1934, as amended, so as to eliminate the requirement of an oath or affirmation on certain reports and application forms submitted to the Federal Communications Commission pursuant to said sections. Affected would be annual and other reports of common carriers required under section 219, and applications for construction permits, station licenses, or modifications or renewals thereof under sections 308 and 319.

The requirement of an oath or affirmation on certain reports and application forms submitted to the Commission imposes a burden on the public, and also on the Commission in those instances where the applicant omits the required oath or affirmation. In such cases the workload of the Commission is increased to the extent necessary to return reports or application forms for the required verification. This slows up the consideration by the Commission of the matters involved and the processing of applications. Inconvenience and delay to the public result.

As a substitute for the oath or affirmation on Commission forms, where presently required, it is proposed to provide thereon a warning similar to the following:

"Willful false statements on this form can be punished by fine or imprisonment" (United States Code, title 18, sec. 1001).

Title 18, section 1001, United States Code, provides that whoever makes any false or fraudulent statements or representations concerning any matter within the jurisdiction of any department or agency of the United States shall be punished by a fine of not more than \$10,000 or imprisoned for not more than 5 years, or both. In addition, the Communications Act provides in section 312(a) that a station license or construction permit may be revoked for false statements knowingly made in an application or in any statement of fact which may be required under section 308.

The Commission feels, therefore, that the elimination of the oath or affirmation requirements would not adversely affect its interests in view of the aforementioned provisions of the United States Code and the Communications Act, and accordingly urges the enactment of the proposed legislation.

**AMENDMENT OF COMMUNICATIONS ACT OF 1934, RELATING TO PAINTING AND ILLUMINATION OF RADIO TOWERS**

Mr. MAGNUSON. Mr. President, by request, I introduced for appropriate reference, a bill to amend the Communications Act of 1934 with respect to the painting and illumination of radio towers. I ask unanimous consent that the letter from the Chairman of the Federal Communications Commission, together with an explanation of the proposed legislation, in which he requests this measure, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter, together with the explanation, will be printed in the Record.

The bill (S. 684) to amend the Communications Act of 1934 with respect to the painting and illumination of radio towers, introduced by Mr. MAGNUSON by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

**FEDERAL COMMUNICATIONS COMMISSION,**

Washington D.C., January 19, 1961.  
The VICE PRESIDENT,  
U.S. Senate,  
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 87th Congress a proposal to amend section 303(q) of the Communications Act to further authorize the Commission to require the prescribed painting and/or illumination of a radio tower until it is dismantled (47 U.S.C. 303(q)).

The Commission's explanation and draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau, by its letter dated January 16, 1961, that there is no objection to the presentation of the draft to the Congress for its consideration.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Sincerely yours,

FREDERICK W. FORD,  
Chairman.

**EXPLANATION OF PROPOSED AMENDMENT TO SECTION 303 OF THE COMMUNICATIONS ACT OF 1934 (TO REQUIRE THAT ABANDONED RADIO TOWERS CONTINUE TO MEET THE PAINTING AND LIGHTING REQUIREMENTS THAT WOULD BE APPLICABLE IF USED PURSUANT TO LICENSE) 47 UNITED STATES CODE 303(Q)**

The Commission wishes to recommend at this time for the consideration of the Congress the enactment of legislation amending the Communications Act of 1934, as amended, to require that abandoned or unused radio towers continue to meet the same

painting and lighting requirements that would be applicable if such towers were being used pursuant to license issued by the Federal Communications Commission, title 47, United States Code, section 303(q).

Concern has been expressed by aviation interests, both Government and non-Government, and by the general public, over the steadily increasing number of tall antenna towers, particularly those over 1,000 feet, which if left unmarked and standing at any future time, would present a serious hazard to safety in the field of aviation. The current trend towards many high radio antenna towers presents a much more acute problem than that which has existed in the past, due to the much greater speeds attained by modern aircraft and due to the fact that towers built in the past are as a general rule of much less height than those currently being constructed. Furthermore, radio towers, being of latticed construction, are inherently less visible than solid structures such as buildings, water towers, smokestacks, and the like.

This concern about the present potential hazard to aviation safety prompted the Air Coordinating Committee to establish a Joint Industry/Government Tall Structures Committee (JIGTSC) to investigate the problems raised in the joint use of airspace by the aviation and broadcast industries, and to recommend appropriate action establishing the position of the Federal Government in this matter. One of JIGTSC's recommendations was that "the FCC requires the removal or appropriate lighting and marking of unused or abandoned towers if it has such authority, and if such authority does not exist that the FCC seek appropriate legislation to obtain this objective."

This Commission, after study and consideration of this JIGTSC recommendation concluded that it would be of public benefit to require the removal or appropriate lighting and marking of radio towers, both during and subsequent to their use for radio transmitting purposes.

Section 303(q) of the Communications Act currently provides:

"Sec. 303. Except as otherwise provided in this act, the Commission from time to time, as public convenience, interest, or necessity requires shall—

(q) Have authority to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation.

The criteria which have been adopted pursuant to this authority against which aeronautical hazard is gaged in particular cases, are set forth in part 17 of the rules of this Commission, concerning the construction, marking, and lighting of antenna towers and supporting structures. In general, these criteria provide that radio towers exceeding 170 feet in height require obstruction marking irrespective of location and under these criteria, the number of radio towers that can be approved without obstruction marking greatly exceeds those requiring such marking. The painting and lighting specifications imposed under part 17, as amended from time to time, provide an adequate vehicle for the protection of aviation interests and otherwise meet the Commission's responsibilities under present law; however, these criteria are applicable at this point only to towers used in connection with authorized radio station operation. Accordingly, these criteria would not be applicable under present law and regulations to towers which have at one time been licensed for use